



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,047	12/27/2001	Sukhwinder Uppal	P14701-PUCN	1650

7590

04/07/2006

Sidney J. Weatherford
MS/EVW2-C-2
6300 Legacy Drive
Plano, TX 75024

EXAMINER

JABR, FADEY S

ART UNIT

PAPER NUMBER

3639

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/034,047	UPPAL, SUKHWINDER	
	Examiner	Art Unit	
	Fadey S. Jabr	3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

Claims **1, 4-6, 9-13 and 16-21** have been amended. Claims **1-21** remain pending and are again presented for examination.

Response to Arguments

1. Applicant's amendment filed 7 February 2006, with respect to rejections under 35 U.S.C. sections 112, second paragraph, has been upheld. Applicant's amendment remains vague and indefinite.
2. Applicant argues that Titus et al. fails to disclose a tariff engine, which debits the subscriber account after a predetermined time period has passed. Examiner notes that Titus et al. discloses real-time billing engine which debits the subscriber account after a predetermined time and can also debit the account based on a flat fee or a computed cost (Paras. 23 and 42).
3. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.
4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims **1-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Titus et al., Pub. No. US2002/0029189 A1 in view of Phillips et al., U.S. Patent No. 5,870,459.

As per Claims 1 and 16, Titus et al. discloses a method comprising:

- establishing a credit balance in said PPS account (Para. 16, lines 4-7; Para. 24);
- linking at least one supplementary service, wherein a tariff table for said at least one supplementary service includes a rate comprising a periodic charge associated with a predetermined time period (Para. 25, 42-43);
- determining that said predetermined time period associated with said supplementary service is complete (Para. 42, lines 6-; Para. 47); and
- applying said associated periodic charge to said PPS account (Para. 42-43).

Titus et al. fails to disclose wherein said at least one supplementary service is charged either daily, weekly or monthly to said PPS account and includes one of call forwarding, call waiting, call blocking and caller ID. However, Titus et al. discloses real-time billing which can debit subscriber balances (Para. 23). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Titus et al. and include charging the subscriber's account periodically (e.g. daily, weekly or monthly), because it allows the service provider to suspend service for a particular subscriber when the subscriber's account balance is depleted (Para. 23).

Also, Phillips et al. teaches a prepaid phone service with subscriber comfort service features, e.g. call forwarding, call waiting (Col. 9, lines 45-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Titus et al. and include subscriber comfort features to a prepaid phone service as taught by Phillips et al., because subscriber comfort features, i.e. text messaging, call forwarding

Art Unit: 3639

and call waiting are old and well known in the art (Col. 9, lines 45-67) and would therefore provide comfort and convenience to a subscriber's phone service.

As per **Claims 2 and 10**, Titus et al. further discloses a method wherein linking said at least one supplementary service to said subscriber account further comprises linking said PPS account to a supplementary service sub-account and a call-event sub-account (Para. 25, 31).

As per **Claims 3, 11 and 18**, Titus et al. further discloses a method wherein applying said periodic charge to said PPS account further comprises applying said periodic charge to said supplementary service sub-account (Para. 42, 47).

As per **Claims 4-7, 12-15 and 19-21**, Titus et al. discloses a method comprising:

- detecting said initial signal (Para. 10);
- determining that said predetermined time period has passed (Para. 42, lines 6-7; Para. 47); and
- generating a call data record associated with said supplementary service, according to said tariff table, for application to said PPS account (Para. 25, 54, 67);
- applying said call data record to said PPS account (Para. 67).

Titus et al. fails to disclose a method comprising transmitting an initial signal for starting a timer upon activation of said supplementary service sub-account, detecting second signal that corresponds to the end of said predetermined time period, wherein said predetermined time period is one of a day, a week or a month. However, Phillips et al. teaches limited use customer

Art Unit: 3639

service feature with a timer used to track an originating and a terminating signal, where the limited use can be a maximum time limit which is preprogrammed into the phone (e.g. day, week or month) (Col. 9, line 45-Col. 10, line 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Titus et al. and include a timer to track the beginning and the terminating signal that corresponds to the end of a time limit as taught by Phillips et al., because it allows the service provider to track the time limit associated with the prepaid phone service.

As per **Claim 8**, Titus et al. further discloses a method further comprising the step of linking said supplementary services to said prepaid subscriber account wherein said prepaid subscriber account is stored on a home location register (Para. 31).

As per **Claim 9 and 17**, Titus et al. further discloses a method comprising:

- a prepaid administration system coupled with said prepaid subscriber account (Para. 31);
- a means for charging and reducing funds in said prepaid subscriber account (Para. 31);
- a database in a node of said wireless telecommunications system for storing tariff information associated with said prepaid subscriber account wherein said tariff information comprises (Para. 31):
 - a first value for call events (Para. 22, lines 10-15); and
 - a second value for periodic charges related to said supplementary service

- sub-account (Para. 42-43); and
- a timer for determining a time period related to said periodic charges for said supplementary service sub-account wherein the time period is determined separately from said call events; and (Para. 23, 42-43, 47).
- generating a call data record associated with said time period for application to said PPS account (Para. 23, 25, 54, 67);

Titus et al. fails to disclose wherein said at least one supplementary service is charged either daily, weekly or monthly to said PPS account and includes one of call forwarding, call waiting, call blocking and caller ID. However, Titus et al. discloses real-time billing which can debit subscriber balances (Para. 23). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Titus et al. and include charging the subscriber's account periodically (e.g. daily, weekly or monthly), because it allows the service provider to suspend service for a particular subscriber when the subscriber's account balance is depleted (Para. 23).

Also, Phillips et al. teaches a prepaid phone service with subscriber comfort service features, e.g. call forwarding, call waiting (Col. 9, lines 45-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Titus et al. and include subscriber comfort features to a prepaid phone service as taught by Phillips et al., because subscriber comfort features, i.e. text messaging, call forwarding and call waiting are old and well known in the art (Col. 9, lines 45-67) and would therefore provide comfort and convenience to a subscriber's phone service.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fadey S. Jabr whose telephone number is (571) 272-1516. The examiner can normally be reached on Mon. - Fri. 7:30am to 4:00pm.

Art Unit: 3639

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Fadey S Jabr
Examiner
Art Unit 3639

FSJ

Please address mail to be delivered by the United States Postal Service (USPS) as follows:

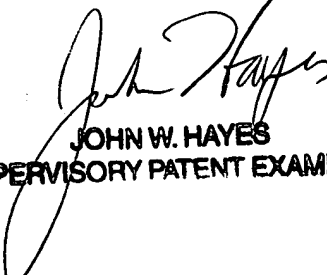
Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571) 273-1516 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314


JOHN W. HAYES
SUPERVISORY PATENT EXAMINER